HOUSE No. 4260

The Commonwealth of Massachusetts

Text of an amendment recommended by the committee on Ways and Means to the Senate Bill relative to sheriffs (Senate, No. 2121). September 24, 2009.

FOR THE COMMITTEE:

NAME:	DISTRICT/ADDRESS:
Charles Murphy	21st Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

Text of an amendment recommended by the committee on Ways and Means to the Senate Bill relative to sheriffs (Senate, No. 2121). September 24, 2009.

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2010, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2010. These sums 6 shall be in addition to any amounts previously appropriated and made available for the purposes of those 7 items.

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9 SECTION 2.

EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY

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Barnstable Sheriff's Department

13 8910-8200 For the operation of the Barnstable sheriff's department; provided, that the sheriff
14 shall report to the house and senate committees on ways and means on the average
15 monthly inmate population in the county starting not later than January 1, 2010;
16 provided further, that all pharmacy services shall be paid through the state office of
17 pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the

18		acts of 2009, not later than June 30, 2010; and provided further, that upon
19		transitioning to the state office of pharmacy services, no charge or contract shall be
20		made with an alternate vendor to provide pharmacy services other than the state
21		office of pharmacy services\$10,588,350
22		
23	8910-8210	For the Barnstable sheriff's department which may expend for the operation of the
24		department an amount not to exceed \$250,000 from revenues received from federal
25		inmate reimbursements; provided, that notwithstanding any general or special law to
26		the contrary, for the purpose of accommodating timing discrepancies between the
27		receipt of retained revenues and related expenditures, the department may incur
28		expenses and the comptroller may certify for payment amounts not to exceed the
29		lower of this authorization or the most recent revenue estimate as reported in the state
30		accounting system\$250,000
31		
32		Bristol Sheriff's Department
33	8910-8300	For the operation of the Bristol sheriff's department; provided, that the sheriff shall
34		report to the house and senate committees on ways and means on the average
35		monthly inmate population in the county starting not later than January 1, 2010; and
36		provided further, that all pharmacy services shall be paid through the state office of
37		pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the
38		acts of 2009
39		
40	8910-8310	For the Bristol sheriff's department which may expend for the operation of the
41		department an amount not to exceed \$6,500,000 from revenues received from federal
42		inmate reimbursements; provided, that notwithstanding any general or special law to
43		the contrary, for the purpose of accommodating timing discrepancies between the
44		receipt of retained revenues and related expenditures, the department may incur

45		expenses and the comptroller may certify for payment amounts not to exceed the
46		lower of this authorization or the most recent revenue estimate as reported in the state
47		accounting system
48		
49		Dukes Sheriff's Department
50	8910-8400	For the operation of the Dukes sheriff's department; provided, that the sheriff shall
51		report to the house and senate committees on ways and means on the average
52		monthly inmate population in the county starting not later than January 1, 2010;
53		provided further, that all pharmacy services shall be paid through the state office of
54		pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the
55		acts of 2009, not later than June 30, 2010; and provided further, that upon
56		transitioning to the state office of pharmacy services, no charge or contract shall be
57		made with an alternate vendor to provide pharmacy services other than the state
58		office of pharmacy services\$1,283,882
59		
60		Nantucket Sheriff's Department
61	8910-8500	For the operation of the Nantucket sheriff's department; provided, that the sheriff
62		shall report to the house and senate committees on ways and means on the average
63		monthly inmate population in the county starting not later than January 1, 2010;
64		provided further, that all pharmacy services shall be paid through the state office of
65		pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the
66		acts of 2009
67		
68		Norfolk Sheriff's Department
69	8910-8600	For the operation of the Norfolk sheriff's department provided, that the sheriff shall
70		report to the house and senate committees on ways and means on the average
71		monthly inmate population in the county starting not later than January 1, 2010;

72		provided further, that all pharmacy services shall be paid through the state office of
73		pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the
74		acts of 2009, not later than June 30, 2010; and provided further, that upon
75		transitioning to the state office of pharmacy services, no charge or contract shall be
76		made with an alternate vendor to provide pharmacy services other than the state
77		office of pharmacy services\$11,435,979
78		
79	8910-8610	For the Norfolk sheriff's department which may expend for the operation of the
80		department an amount not to exceed \$2,500,000 from revenues received from federal
81		inmate reimbursements; provided, that notwithstanding any general or special law to
82		the contrary, for the purpose of accommodating timing discrepancies between the
83		receipt of retained revenues and related expenditures, the department may incur
84		expenses and the comptroller may certify for payment amounts not to exceed the
85		lower of this authorization or the most recent revenue estimate as reported in the state
86		accounting system\$2,500,000
87		
88		Plymouth Sheriff's Department
89	8910-8700	For the operation of the Plymouth sheriff's department; provided, that the sheriff
90		shall report to the house and senate committees on ways and means on the average
91		monthly inmate population in the county starting not later than January 1, 2010;
92		provided further, that all pharmacy services shall be paid through the state office of
93		pharmacy services chargeback, item 4510-0108 of section 2B of chapter 27 of the
94		acts of 2009
95		
96	8910-8710	For the Plymouth sheriff's department which may expend for the operation of the
97		department an amount not to exceed \$16,000,000 from revenues received from
98		federal inmate reimbursements; provided, that notwithstanding any general or special

Suffolk Sheriff's Department

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126	SECTION 3. Section 2 of chapter 27 of the acts of 2009 is hereby amended by striking out item 8910-		
127	0000 and inserting in place thereof the following item:-		
128	8910-0000 For a reserve to provide funds for certain costs of the Barnstable, Bristol, Dukes,		
129	Nantucket, Norfolk, Plymouth and Suffolk sheriffs' departments including, but not		
130	limited to, employee health care, retirement and Plymouth correctional facility debt		
131	service; provided, that the county finance review board shall distribute the funds		
132	appropriated herein through December 31, 2009; provided further, that effective		
133	January 1, 2010 the secretary of administration and finance may transfer from the		
134	sum appropriated in this item to other items of appropriation; and provided further,		
135	that the transfers may be expended solely for the purposes authorized by the secretary \$162,427,746		
136			
137	SECTION 4. Said section 2 of said chapter 27 is hereby further amended by striking out item 8910-0010		
138	and inserting in place thereof the following item:-		
139	8910-0010 For the purpose of funding expenses for services provided to inmates of Barnstable,		
140	Bristol, Dukes, Norfolk, Plymouth and Suffolk county correctional facilities by the		
141	department of public health Lemuel Shattuck hospital in fiscal year 2010; provided,		
142	that the department shall notify the comptroller of all such expenses; provided		
143	further, that not more than 30 days after receiving such notification the comptroller		
144	shall effect the transfer of such amount from this item to item 4590-0903 in section		
145	2B\$2,172,244		
146			
147	SECTION 5. The first sentence of section 10 of chapter 61 of the acts of 2009 is hereby amended by		
148	striking out the figure "2010" and inserting in place thereof the following figure:- 2011.		
149			
150	SECTION 6. Said section 10 of said chapter 61 is hereby further amended by adding the following		

sentence:- Each county, and in the case of Suffolk county the city of Boston, shall, not later than June 30,

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152 2010, appropriate and pay to the commonwealth an amount equal to 51.25 per cent of the minimum 153 obligations to fund from their own revenues in fiscal year 2009. 154 155 SECTION 7. Said chapter 61 is hereby further amended by striking out section 11 and inserting in place 156 thereof the following section:-157 Section 11. Notwithstanding any general or special law to the contrary and except as otherwise 158 provided in this act, any funds including, but not limited to, county correctional funds, deeds excise funds 159 and other sources of income and revenue, credited to the office of a transferred sheriff on December 31, 160 2009 or received by the county treasury after that date on account of fiscal year 2010 activity through 161 December 31, 2009, shall be paid to the state treasurer, but the county treasurer may pay appropriate 162 fiscal year 2010 sheriff's department obligations after December 31, 2009. 163 164 SECTION 8. Section 12 of said chapter 61 is hereby amended by striking out subsection (d). 165 166 SECTION 9. Section 19 of said chapter 61 is hereby amended by striking out subsection (b). 167 168 SECTION 10. Clause (6) of the third paragraph of section 22 of said chapter 61 is hereby amended by 169 striking out the word "country" and inserting in place thereof the following word:- county.".